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Attorneys for Defendants Aria Resort & Casino, LLC,
MGM Resorts International, Bellagio, LLC, and
MGM Resorts Design and Development

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

THE BOARD OF TRUSTEES OF THE
CONSTRUCTION INDUSTRY AND
LABORERS HEALTH AND WELFARE
TRUST; THE BOARD OF TRUSTEES OF
THE CONSTRUCTION INDUSTRY AND
LABORERS JOINT PENSION TRUST;
THE BOARD OF TRUSTEES OF THE
CONSTRUCTION INDUSTRY AND
LABORERS VACATION TRUST; THE
BOARD OF TRUSTEES OF SOUTHERN
NEVADA LABORERS LOCAL 872
TRAINING TRUST,

Plaintiffs,

v.

ALSTON CONSTRUCTION COMPANY,
INC., a California corporation; KIEWIT
INFRASTRUCTURE WEST CO., a
Delaware corporation; ARIA RESORT &
CASINO, LLC, a Nevada limited liability
company; MGM RESORTS
INTERNATIONAL, a Nevada corporation;
BELLAGIO, LLC, a Nevada limited liability
company; and KENNETH M. MERCURIO,
an individual,

Defendants.

2:18-cv-00416-APG-GWF

**STIPULATION AND ORDER TO
DISMISS ARIA RESORT & CASINO,
LLC, MGM RESORTS
INTERNATIONAL, AND BELLAGIO,
LLC, AND ADD MGM RESORTS
DESIGN AND DEVELOPMENT AS
THE REAL PARTY IN INTEREST**

Pursuant to the provisions of Federal Rule of Civil Procedure 17 and 41, Plaintiffs, The Board of Trustees of the Construction Industry and Laborers Health and Welfare Trust; The Board of Trustees of the Construction Industry and Laborers Joint Pension Trust; The Board of Trustees of

1 the Construction Industry and Laborers Vacation Trust; The Board of Trustees of Southern Nevada
2 Laborers Local 872 Training Trust (collectively "Plaintiffs"), and Defendants, Aria Resort &
3 Casino, LLC, MGM Resorts International, and Bellagio, LLC ("Defendants"), by and through their
4 respective attorneys, hereby stipulate and agree as follows:

5 WHEREAS, Defendants shall be dismissed from this action, without prejudice;

6 WHEREAS, MGM Resorts Design and Development "(MRDD)" is the real party in
7 interest in this litigation and Plaintiffs' allegations against Defendants are against MRDD;

8 WHEREAS, MRDD shall be substituted in place and stead of Defendants and added as a
9 party defendant; and

10 WHEREAS, MRDD shall file its answer to Plaintiffs' Complaint within five (5) days of
11 the Court's approval of this stipulation.

12 DATED this 7th day of June, 2018.

DATED this 7th day of June, 2018.

13 **GREENE INFUSO, LLP**

THE URBAN LAW FIRM

14
15 /s/ Michael V. Infuso
16 Michael V. Infuso, Esq.
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19 Attorneys for Defendants

Attorneys for Plaintiffs

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22 IT IS SO ORDERED:

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25 
UNITED STATES DISTRICT JUDGE

26 Dated: June 7, 2018.
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